

CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi

Petition No. 525/MP/2020

- Subject** : Petition under Section 79 read with Regulations 20 and 21 of the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2010 read with Regulation 33A and 33B of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in Inter-State Transmission and related matters) Regulations, 2009 and Regulations 111 and 112 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 invoking the jurisdiction of the Commission for inter-alia resolving discrepancies arising on account of conflict between the SCOD under the PPA and the date of operationalisation of connectivity and long term access, for seeking recognition of Change in Law and Force Majeure events impacting the implementation of the Project by the Petitioner and seeking appropriate reliefs with regard to exemption from payment of transmission charges, opening a Letter of Credit for PoC charges and quashing of Default Notice issued by CTU.
- Petitioner** : Sprng Renewable Energy Private Limited (SREPL)
- Respondents** : Power Grid Corporation of India Limited and Anr.
- Date of Hearing** : 8.2.2022
- Coram** :
Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Parties Present** :
Ms. Harneet Kaur Advocate, SREPL
Shri Gaurav Sood, Advocate, SREPL
Shri Avinash Mirajkar, SREPL
Shri M. G Ramachandran, Senior Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI
Ms. Poorva Saigal, Advocate, SECI
Ms. Suparna Srivastava, Advocate, CTUIL
Mr. Tushar Mathur, Advocate, CTUIL
Ms. Soumya Singh, Advocate, CTUL
Ms. Neha Singh, SECI
Ms. Shreedhar Singh, SECI
Shri Shubham Mishra, SECI
Ms. Aditee Nitnavare, SECI



Record of Proceedings

Case was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that both the arguing counsel and the Advocate on Record are down with Covid-19 and, therefore, requested to adjourn the matter for two weeks.

3. In response to a query of the Commission regarding the status of the project and billing, the learned counsel appearing on behalf of CTU submitted that the details of the project sought vide Record of Proceeding dated 13.1.2022 were filed vide affidavit dated 28.1.2022. She submitted that a bill for Rs 6.48 crore was raised on the Petitioner by CTUIL for the period of November 2020 to October 2021 as per the Central Electricity Regulatory Commission (Sharing of Inter-State transmission charges & losses) Regulation, 2020 ("2020 Sharing Regulations"). She further submitted that bill prior to November 2020 has not been raised by CTUIL and the same will be raised soon.

3. On request of the learned counsel for the Petitioner, the Commission adjourned the matter.

4. Taking a serious note of the fact that in several other cases the Commission has noticed that CTUIL has failed to raise timely bills which is a statutory function of the CTUIL and failure to do so tantamount to financial irregularities, the Commission directed CTUIL to place on record a comprehensive status of billing from the date of operationalization of LTA, i.e. 30.11.2019 in the instant case and the details of billing in all other similar cases by way of an affidavit by 25.2.2022.

5. The Commission directed CTUIL to submit the following information on affidavit by 25.2.2022:

a) Reason for not raising the bills on the Petitioner from the date of operationalization of LTA i.e. 30.11.2019 and raising the bills only for the period of November 2020 to October 2021 only in January 2022 after much delay, in contravention of the procedure laid down in the regulations for monthly billing.

b) Details of all cases where generation project has been delayed and is liable to pay transmission charges under the regulations along with following:

- a. Name of the project.
- b. SCOD of generation project as per PPA, actual date of COD of the generation project along with the capacity for which COD is declared.
- c. Date from which LTA is granted and quantum for which LTA is granted.
- d. Date from which LTA is effective.
- e. Whether LTA start date is extended?
- f. Whether LTA was granted on existing system or with ATS?
- g. If LTA was granted with ATS, what were the element(s) of ATS?
- h. When COD of ATS was declared? (In case of multiple elements in ATS, provide date of COD of each element.)



- i. Whether bill(s) have been raised for mismatch period as per the regulations?
- j. Details of bill(s) raised.
- k. Reasons for not raising the bill(s) in cases where bills have not been raised.

6. The Petition shall be listed for hearing in due course for which a separate notice will be issued.

By order of the Commission

Sd/
(V. Sreenivas)
Joint Chief (Legal)

